

PATENT
ATTORNEY DOCKET NO. 46884-5393

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Yasuhiro SUZUKI et al.)	Confirmation No.: 2777
)	
Application No.: 10/540,476)	Group Art Unit: 2622
)	
Filed: February 13, 2006)	Examiner: John M. Villecco
)	
For: PHOTODETECTOR		

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window Mail Stop: ☒ **Amendment**
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT (IDS)

☒ **Under 37 C.F.R. § 1.97(b):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the undersigned's knowledge, this IDS is being filed before the mailing date of a first Office Action on the merits, before the mailing date of a first Office Action on the merits after filing an RCE under § 1.114, or within three months of the application filing date.

☐ **Under 37 C.F.R. § 1.97(c):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or another action that closes prosecution in the application.

- ☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; or
- ☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☒ A Japanese Office Action or other listing of documents from a counterpart, related, or other application dated September 9, 2008 and having documents cited therein is attached for the Examiner's consideration. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

While the Japanese Office Action dated September 9, 2008 additionally cites to Japanese Patent Application Laid-Open Nos. 2001-291877, 2001-141562 and 2000-310561, these documents are not listed on the attached PTO Form 1449 because they were previously cited in an Information Disclosure Statement in this application on June 23, 2005.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

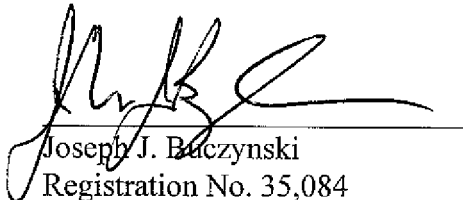
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: October 10, 2008


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